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March 27, 2009

Mr. Thomas P. D'Agostino
Administrator
National Nuclear Security Administration
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Mr. D'Agostino:

We write in response to an incident this past January at Los Alamos National Laboratory (LANL) that raises questions about the extent to which LANL management has fixed gaps in cyber security monitoring and oversight.

The incident involved the theft of three government computers from an employee's home and subsequent failure to notify promptly relevant security officials at LANL. According to the National Nuclear Security Administration (NNSA) site office management, the Lab's response to the theft "revealed several property-management, accountability, incident-reporting and cyber security concerns." Among these concerns: NNSA and the Lab's own cyber security personnel were not able to quickly assess and address the potential loss of sensitive information. Once they were informed of the theft, the information presented was vague and raised questions about additional, significant weaknesses concerning LANL management and accountability.

Upon further inquiry, the NNSA site office found that, over the preceding 12 months, LANL management reported 13 computers stolen or lost, and some 67 "currently missing." It turns out that these LANL incidents were not recorded as a matter of cyber security, but instead as a property management issue.

We understand that LANL's management is required by the NNSA to maintain full accountability of more than 40,000 computational devices and that LANL has exceeded its property management benchmarks. Nevertheless, that 67 missing laptops were treated only as lost property, and not as a potential security threat, raises on-going questions about the security

culture at LANL. We are concerned that LANL does not truly know what information was on this equipment or that NNSA security personnel have the ability to find out anymore. Given the history with LANL's security oversight and attention this Committee has focused in this area, we expected a more appropriate level of security protocols would have been in place and followed appropriately.

We understand your site office has issued directives to tighten security and has sought to review whether additional deficiencies exist. To assist our own understanding of the situation, we would appreciate your providing the following answers and information by four weeks from the date of this letter:

1. What were the lost property protocols followed by LANL management, Los Alamos National Security, LLS (LANS), during the time of the computer thefts cited in this letter, how long had they been in place, and what deficiencies did NNSA identify?
2. Had NNSA previously evaluated these protocols? If not, why not? And if so, what did NNSA determine?
3. What directives did the NNSA site office issue? Please provide any memoranda related to these directives, including, but not limited to, the NNSA Chief Information Officer memorandum dated January 27, 2009.
4. What are the status and potential cyber-security ramifications of each of the 80 systems noted by the NNSA in its February 3, 2009, letter to LANS? Please provide any written reports to NNSA relating to this request.
5. What measures, protocols, or programs have been developed and executed to correct identified deficiencies and how will these correct them?
6. How many staff does NNSA have dedicated to cyber-security monitoring and oversight at LANL, particularly those staff responsible for evaluating lost property risks?
7. Why would a LANL employee have three government computers at his home? How many LANL employees had more than one government computer at home prior to the incident? How many LANL employees currently have more than one government computer at home?

We would respectfully request, if the Department withholds any documents or information in response to this letter, that a Vaughn Index or log of the withheld items be attached to the response. The index should list the applicable question number, a description of the withheld item (including date of the item), the nature of the privilege or legal basis for the withholding, and a legal citation for the withholding claim.

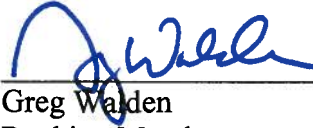
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Should you have any questions, please contact Mr. Peter Spencer of the Minority Committee staff at (202) 225-3641.

Sincerely,



Joe Barton
Ranking Member



Greg Walden
Ranking Member
Subcommittee on Oversight and Investigations

cc: The Honorable Henry A. Waxman
Chairman

The Honorable Bart Stupak
Chairman
Subcommittee on Oversight and Investigations